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CONSTITUTION

OF THE

STATE OF DESERET.

PREAMBLE—

WHEREAS a large number of Citizens of the United States, before and since the Treaty of Peace with the Republic of Mexico, emigrated to, and settled in that portion of the Territory of the United States, lying west of the Rocky Mountains, and in the Great Interior Basin of Upper California, and

WHEREAS, by reason of said treaty, all civil organization, originating from the Republic of Mexico became abrogated; and

WHEREAS, the Congress of the United States has failed to provide a form of Civil Government for the Territory so acquired, or any portion thereof; and

WHEREAS, Civil Government and Laws are necessary, for the security, peace and prosperity of Society; and

WHEREAS, it is a fundamental principle in all Republican Governments, that all political power is inherent in the People; and Governments instituted for their protection, security and benefit, should emanate from the same:

THEREFORE, your Committee beg leave to recommend the adoption of the following CONSTITUTION, until the Congress of the United States shall otherwise provide for the Government of the Territory hereinafter named and described, by admitting us into the Union. WE, THE PEOPLE, Grateful to the SUPREME BEING for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings, DO ORDAIN, AND ESTABLISH A FREE AND INDEPENDENT GOVERNMENT, by the name of the STATE OF DESERET; including all the Territory of the United States within the following boundaries, to wit. Commencing at the 33 North Latitude where it crosses the 108°, Longitude, west of Greenwich; thence running South and West to the Northern boundary of

Mexico; thence West to, and down the Main Channel of the Gila River, (or the Northern line of Mexico,) and on the Northern boundary of Lower California to the Pacific Ocean; thence along the Coast North Westerly to the 118°, 30' of west Longitude; Thence North to where said line intersects the dividing ridge of the Sierra Nevada Mountains; Thence North along the Summit of the Sierra Nevada Mountains to the dividing range of Mountains, that separate the Waters flowing into the Columbia River, from the Waters running into the Great Basin; thence Easterly along the dividing range of Mountains that separate said waters flowing into the Columbia river on the North, from the waters flowing into the Great Basin on the South, to the summit of the Wind River Chain of Mountains; thence South East and South by the dividing range of Mountains that separate the waters flowing into the Gulf of Mexico, from the waters flowing into the Gulf of California, to the place of BEGINNING; as set forth in a map drawn by Charles Preuss, and published by order of the Senate of the United States, in 1848.

ARTICLE 1.

The powers of Government of the State of Deseret shall be divided into three distinct departments; Viz, Legislative, Executive, and Judiciary.

ARTICLE 2. OF THE LEGISLATIVE.

SEC. 1. The Legislative authority of this State, shall be vested in a General Assembly, consisting of a Senate and House of Representatives; both to be elected by the people.

SEC. 2. The session of the General Assembly, shall be annual; and the first Session be held on the first monday of July next; and thereafter, on the first Monday of December; unless the Governor of the State shall convene the Assembly, in the interim, by Proclamation.

SEC. 3 The members of the House of Representatives shall be chosen biennially, by the qualified Electors of their respective Districts, on the 1st. Monday in August; whose term of office shall continue two years from the day of the General Election.

SEC. 4. No person shall be a member of the House of Representatives, who has not attained the age of 25 years; the same to be a free, white, male Citizen of the United States, and an Inhabitant of this State, one year preceding the time of his Election, and a resident of the District or County 30 days next preceding his Election: and have at his election, an actual residence in the District he may be chosen to represent

SEC. 5. Senators shall be chosen for the term of four years, at the same time and place of Representatives; they shall be thirty

years of age, and possess the qualifications of Representatives as to residence and Citizenship.

SEC 6. The number of Senators shall not be less than one third, nor more than one half of the Representatives; and. at the first session of the General Assembly, after this Constitution takes effect. the Senate shall be divided by lot, as equally as may be, into two classes; the Seats of the Senators of the first class, shall be vacated at the expiration of two years, so that one half of the Senate shall be elected biennially.

SEC. 7. Each house shall choose its own officers; and judge of the qualification, election, and return of its own members, and contested elections shall be determined in such manner as shall hereafter be directed by law.

SEC. 8. A majority, in each house, shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner, and under such penalty, as each house may provide

SEC. 9. Each house shall have all powers necessary for a Branch of the General Assembly, of a free and independent Government.

SEC. 10. Each member of the Assembly shall be privileged from civil arrest, during any Session, and in going to, and returning from the same.

SEC. 11. Neither house shall, without the consent of the other, adjourn for more than three days; nor to any other place, than that in which they may be sitting.

SEC. 12. The Assembly shall, at its first Session. provide for an enumeration of the white Inhabitants, and an apportionment for the Senators and Representatives

SEC. 13. Each member of the Assembly shall take an oath or affirmation to support the Constitution of the United States, and of this State; and members shall, and are hereby empowered to administer said oath, or affirmation, to each other.

SEC. 14. The Veto power of the Governor, shall be allowed by the Assembly, except on bills, which, when reconsidered, shall be again passed by a majority of two thirds of those present; and any bill vetoed by the Governor, shall be returned within ten days, (Sundays excepted,) with his objections; otherwise it shall become a law, unless the Assembly, by adjournment, prevent its return.

SEC. 15. Every law passed by the Assembly, shall take effect from and after due publication by Authority.

SEC. 16. The voters of this State, may elect, at the first Election, not exceeding 17 Senators, and 35 Representatives.

ARTICLE 3. OF THE EXECUTIVE.

SEC. 1. The Executive power shall be vested in a Governor, who shall hold his office for four years. A Lieutenant Governor shall be elected at the same time, and for the same term, who shall be the President of the Senate.

SEC. 2. No person shall be eligible to the office of Governor, or Lieutenant Governor, who has not been a Citizen of the United States, and a resident of this State, two years next preceding his Election, and attained the age of 35 years, at the time of his Election

SEC. 3. The Governor shall be Commander in Chief of the Militia, Navy, and all the Armies of this State.

SEC. 4. He shall transact all Executive business with the Officers of Government, Civil and Military; and may require information in writing from the officers of the Executive Department, upon any subject relating to the duties of their respective offices.

SEC. 5. He shall see that the laws are faithfully executed.

SEC 6. When any office shall, from any cause, become vacant, and no mode is prescribed by the Constitution and laws for filling such vacancy, the Governor shall have power to fill such vacancy, by granting a commission, which shall expire, when such vacancy shall be filled by due course of Law.

SEC. 7. He shall also have power, to convene the General Assembly, by Proclamation, when in his opinion the interests of the State require it.

SEC. 8. He shall communicate by Message to the General Assembly, at every Session, the Condition of the State; and recommend such matters as he shall deem expedient.

SEC. 9. In case of disagreement in the General Assembly, with regard to the time of adjournment, the Governor shall have power to dissolve the Session by proclamation.

SEC. 10. No Person shall, while holding any lucrative office under the United States, or this State, execute the office of Governor, except as shall be prescribed by law.

SEC. 11. The Governor shall have power to grant reprieves and pardons, and commute punishments after conviction; except in cases of impeachment.

SEC. 12. The Governor shall receive, for his services, such compensation as shall hereafter be provided by law.

SEC 13. There shall be a Seal of this State, which shall be kept by the Governor, and used by him officially; and shall be called THE GREAT SEAL OF THE STATE OF DESERET.

SEC. 14. All grants and commissions shall be in the name and by the authority of the people of the State of Deseret; sealed with the GREAT SEAL of this State, signed by the Governor, and coun-

tersigned by the Secretary of State.

SEC. 15. A Secretary of State, Treasurer, and Auditor of Public accounts, shall be elected by the qualified Electors, who shall continue in office for the term of four years.

The Secretary of State shall keep a fair Registry of all the official acts of the Governor, and shall when required, lay the same, together with all papers, minutes, and vouchers, relative thereto, before either branch of the General Assembly, and shall perform such other duties as shall be assigned him by law.

SEC. 16. In case of Impeachment of the Governor, his removal from office, death, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor, until such disability shall cease, or the vacancy be filled.

ARTICLE, 4. OF THE JUDICIARY.

SEC 1. The Judicial power shall be vested in a Supreme Court, and such Inferior Courts, as the General Assembly shall from time to time establish.

SEC. 2. The Supreme Court shall consist of a Chief Justice, and two Associates, either two of whom shall be a Quorum to hold Courts

SEC. 3. The Judges of the Supreme Court shall be elected by joint vote of both houses of the General Assembly, and shall hold their Courts at such time and place as the General Assembly shall direct; and hold their office for the term of four years, and until their successors are elected and qualified The Judges of the Supreme Court, shall be Conservators of the peace throughout the State, and shall exercise such other Jurisdictions and appellate powers, as shall be prescribed by law.

SEC. 4. The style of all process shall be, the STATE OF DESERET, and all prosecutions shall be in the name, and by the authority of the State.

ARTICLE. 5. OF ELECTIONS.

SEC. 1. The Governor, Lieutenant Governor, Secretary of State, Treasurer, and Auditor of accounts, shall be elected by the qualified Electors, as provided for members of the General Assembly, and at the time and place appointed for holding the same.

SEC. 2. The returns of every Election for Governor, Lieutenant Governor, Secretary of State, Treasurer and Auditor, shall be sealed up, & transmitted forthwith to the seat of Government, directed to the Speaker of the House of Representatives; who shall, during the first week of the Session, open and publish them in the presence of both Houses of the General Assembly; and the persons, receiving a

majority of all the legal votes cast for their respective offices, shall be declared duly elected.

SEC. 3. The Governor, Lieutenant Governor, Secretary of State, Treasurer, and Auditor, shall, before entering upon the duties of their respective offices, take an oath or affirmation, to support the Constitution of the United States, and of this State; which oath or affirmation, shall be administered by the Speaker of the House of Representatives.

SEC. 4. The first Election for members of the General Assembly, and other officers under this Constitution, shall be held on the first Monday of May next, at the usual places of holding public meetings, in the different Districts and Settlements; at which time and place, the qualified voters shall vote for, or against the adoption of this Constitution; and, if a majority of all the legal votes, shall be in favor of its adoption, the same shall take effect from and after said Election.

SEC. 5. At the time and place of holding the Elections, the qualified Electors shall organize the Polls by appointing two Judges, who shall be authorized to qualify each other, and appoint two suitable persons, as Clerks; and said Judges shall, at the close of said Election, seal up the number of votes so cast, and forthwith transmit them to the President of this Convention.

SEC. 6. The returns of the first Election, herein provided for, shall be made to the Chairman of this Convention; who, together with the two Secretaries, shall proceed immediately to open said returns, and count the votes; upon ascertaining the persons receiving a majority of votes, they shall forthwith notify them of their Election.

SEC. 7. The General Assembly shall, at its first Session, provide by law, a general system of Election for officers, under this Constitution; and such other officers as may be hereafter created by law.

SEC. 8. The manner of Voting shall be by ballot.

SEC. 9. The General Assembly shall meet at Great Salt Lake City; which place shall be the seat of Government, until otherwise provided by law.

SEC. 10. All white male residents of this State, over the age of 21 years, shall have the privilege of voting at the first Election, and adoption of this Constitution; PROVIDED, that no person in the Military, Naval or Marine service of the United States shall be considered a resident of this State, by being stationed in any Garrison, Barrack, Military, or Naval place, or Station within this State; unless otherwise provided for by law.

ARTICLE 6. OF MILITIA.

SEC. 1. The Militia of this State shall be composed of all able bodied, white male Citizens, between the ages of 18 & 45 years, except such as are, or may hereafter be exempt, by the Laws of the United States, or of this State; and shall be armed, equipped, and trained, as the General Assembly may provide by Law.

SEC. 2. All Commissioned officers of the Militia, (Staff officers excepted,) shall be elected by the persons liable to perform Military Duty; and all Commissioned officers shall be commissioned by the Governor.

ARTICLE 7. AMENDMENTS OF THE CONSTITUTION.

Sec. 1. If at any time the General Assembly shall deem it necessary, and for the best interest of the State, that this Constitution should be revised, altered, or amended; the Assembly shall cause such revisions, alterations, or amendments, to be published, in the same manner as shall be provided for the publication of the Statutes; and appoint a day, not less than thirty days thereafter, for the Electors of the Commonwealth to assemble in their several precincts, and vote for, or against said revisions, alterations, or amendments; and if a majority of said Electors shall vote in favor of said revisions, alterations, or amendments, the same shall thereafter become parts, and parcels of this Constitution· Otherwise, this Constitution shall remain unaltered

ARTICLE 8. DECLARATION OF RIGHTS

Sec. 1. In Republican Governments, all men should be born equally free and independent, and possess certain natural, essential, and inalienable rights; among which, are those of enjoying and defending their Life and Liberty, acquiring, possessing and protecting property; and of seeking and obtaining their safety and happiness.

Sec. 2. All Political power is inherent in the people; and all free Governments are founded in their authority, and instituted for their benefit; Therefore, they have an inalienable and indefeazible right to institute Government, and to alter, reform, and totally change the same, when their safety, happiness, and the public good shall require it.

Sec. 3. All men shall have a natural and inalienable right to worship God, according to the dictates of their own consciences, and the General Assembly shall make no law respecting an establishment of Religion, or of prohibiting the free exercise thereof, or disturb any person in his religious worship or sentiments, provided he does not disturb the public peace, nor obstruct others in their

ligious worship: and all persons, demeaning themselves peaceably as good members of the State, shall be equally under the protection of the laws; and no subordination or preference of any one sect or denomination to another, shall ever be established by law; nor shall any religious test be ever required for any office of trust under this State

Sec. 4. Any Citizen of this State, who may hereafter be engaged, either directly or indirectly, in a duel, either as principal, or accessory before the fact, shall be disqualified from holding any office under the Constitution, and laws of this State.

Sec 5. Every person may speak, write, and publish his sentiments, on all subjects, being responsible for the abuse of that right: and no law shall be passed to abridge the liberty of speech or of the Press.

Sec. 6. The people shall be secure in their persons, houses, papers, and possessions, from unreasonable searches and seizures.

Sec. 7. The right of trial by Jury shall remain inviolate; and all criminals shall be heard by self, or counsel, at their own election.

Sec. 8. All penalties and punishments shall be in proportion to the offence; and all offences before conviction, shall be bailable; except capital offences, where the proof is evident, or the presumption great.

Sec. 9. The writ of Habeas Corpus shall not be suspended, unless in case of rebellion, or invasion, or the public safety shall require it

Sec. 10. Treason against this State, shall consist only in levying war against it, or adhering to its enemies, or giving them aid and comfort

Sec. 11. The General Assembly shall pass no bill of attainder, or Ex Post Facto law, or law impairing the obligation of contracts to hinder the execution of Justice.

Sec. 12. The laws shall not be suspended, but by the Legislative, or Executive authority

Sec. 13. The right of petition, by the people, shall be preserved inviolate

Sec. 14. The right of Citizens, to keep and bear arms, for common defence, shall not be questioned.

Sec. 15. Private property shall not be taken for public use without just compensation.

Sec. 16 No standing army shall be kept up in time of peace and the Military shall at all times, and in all places, be in strict subordination to the Civil power.

Sec. 17. The enumeration of certain rights, shall, not be construed to impair, nor deny others, retained by the People

ORDINANCE REGULATING ELECTIONS.

Passed by the General Assembly, November 12 1849.

SEC. 1 Be it Ordained by the General Assembly of the State of Deseret, That on the first Monday of August, in the year of our Lord one thousand eight hundred and fifty three, and every four years thereafter, (unless changed by Amendments of the Constitution) there shall be an Election in each Precinct in this State, for the Election of Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor of Public Accounts, and all other State officers which have been, or may be created by law, whose term of office, shall be four years, and whose election is not otherwise provided for by law.

SEC. 2. On the first Monday of August A. D one thousand eight hundred and fifty one, and every two years thereafter, there shall be Elections held, as aforesaid, for the Election of Representatives, Senators, and one Associate Justice of the County Court, in those Districts, or Counties, where the term of those elected has expired.

SEC. 3. On the first Monday of August, one thousand eight hundred and fifty one, and every two years thereafter; there shall be an Election in each Precinct of this State, for Justices of the Peace, Constables, and such other Precinct or County officers, as may become necessary to elect, as may be prescribed by law.

SEC. 4. Every Precinct shall compose an Electorial District, and the County Judges of each County shall name a house, or place in each Precinct, where the Election shall be held; and appoint three Judges of said Election.

SEC. 5. The Electors of every Precinct, have the right to appoint Judges, and regulate their own Election, if not otherwise provided for

SEC. 6. It shall be the duty of the Clerks of County Courts respectively, one month before each General Election, or six days before each special election, to make out and deliver to the Sheriff of their respective Counties, one Blank Poll Book, at the expense of the County, for each precinct in his County, properly ruled and laid off into Columns, with the necessary Certificates attached, which Books the Sheriff shall faithfully deliver, or cause to be delivered to the Judges of the Election, in their respective Precincts

SEC. 7. The Judges before they enter upon their duties shall take the following oath or affirmation –I—do swear or affirm (as the case may be) that I will faithfully, and impartially discharge, the duties of Judge of the present Election, according to Justice and

HISTORICAL DEPARTMENT
Church of Jesus Christ
of Latter-day Saints

the best of my abilities; which oath or affirmation shall be administered by a Justice of the Peace, if present; if not, they are authorized to qualify each other.

SEC. 8 The Judges shall appoint a Clerk, who, before entering upon the duties of his appointment, shall take an oath or affirmation, which may be administered by either of the Judges of Election, that he will faithfully discharge the duties of his appointment to the best of his abilities, record the names of all the voters, and distinctly carry out in lines or columns the number of each voter.

SEC. 9. The time for opening, and closing the Polls, shall be between the hours of six o'clock in the morning, and nine o'clock in the evening, and one of the Judges shall cry in an audible voice the name of each voter as given in.

SEC. 10 The votes given at all Elections shall be by Ballot, and each voter shall give his vote by single ballot in a public manner, which shall be a paper ticket, on which shall be written or printed the names of the several candidates; in connection with the office, that the voter intends that each shall fill.

SEC. 11. When any person offers to vote in a Precinct of which he is not a resident, for State or County officers; if he possess the necessary qualifications of a voter; he may vote on taking an oath or affirmation that he has not voted, and will not vote, in any other Precinct during the pending Election.

SEC. 12. The Judges of Election shall preserve good order; and may punish any disorderly person, for contempt, by fine, not exceeding one hundred dollars, at their discretion.

SEC. 13. The Judges shall decide on the legality of all voters, and no person that is a candidate for any office then pending in this State, shall sit as Judge, or act as Clerk, of such Election.

SEC. 14. At the closing of the Polls on the day of Election, the Judges shall in a public manner count off the number of Ballots polled, and call off distinctly the names of the several candidates on each Ballot; numbering them on the back, as counted, from one and upwards, and string the same on a twine, and needle; and the Clerk shall carefully mark down the number of votes given for each candidate as called off by the Judge.

SEC. 15. At the close of each Election, the Judges shall certify under their own hands, the number of votes given for each candidate, which shall be attested by the Clerk, who shall transmit the same, together with the Poll Book, to the Clerk of the County Court, in which the Election was held, within five days thereafter; and the Judges shall retain a true copy thereof, together with the Ballots, free to the inspection of all voters.

SEC. 16. The Clerks of the County Courts, shall within ten

days after the close of each Election respectively take to his assistance two Justices of the Peace of his County, or two Judges of the County Court, and in a public manner examine and cast up the votes given to each candidate, and give to those having the highest number of votes, each a certificate of his election.

Sec. 17. The Clerks of the several Counties to whom a transcript of the votes in any Election is directed, shall within three days after the time limited for the examination of the Polls, cause to be conveyed to the seat of Government, addressed to the Secretary of State, a fair abstract of all the legal votes polled in their respective Counties, for State officers at such Election.

Sec. 18 Within twenty days after each General Election, or sooner if the returns have all been duly made, the Secretary of State shall, in the presence of the Governor, cast up the votes given in the several Counties in this State, for State officers, and shall give to those having the highest number of votes, certificates of their Election, under his own hand, with the Seal of the State affixed thereto.

Sec. 19 Should any two, or more candidates have an equal number of votes, the Secretary of State, with the assistance of the Lieutenant Governor, shall cast lots in the presence of the Governor, to decide which of the candidates shall fill the office.

Sec. 20. In all Elections of County officers, when there shall be a tie given; the County Clerk and Judges, shall prepare and cast lots, and decide which of the candidates shall fill the office.

Sec. 21 When the Election of any County or Precinct officer, is contested by two or more candidates; it shall be the duty of the County Court to decide between them, and give him, in whose favor they decide, a certificate of his Election.

Sec. 22. Whenever a vacancy in any office shall occur, and a special Election shall become necessary, the Sheriff shall, ten days previous to the same, put up advertisements at three of the most public places in each Precinct in his County, stating the time and place of holding such Election, unless otherwise directed in the writ of Election.

Sec. 23. All contested Elections for Governor, Lieutenant Governor, Secretary of State, Treasurer, and Auditor of Public Accounts, shall be decided by a joint vote of both Houses of the General Assembly, in the Hall of the House of Representatives, the President of the Senate presiding.

Sec. 24. If any person contest the Election of Governor, Lieutenant Governor, Secretary of State, Treasurer, or Auditor of Public Accounts, he shall present a petition to each House of the General Assembly setting forth the points on which he will contest

the same, and the facts which he will prove in support of those points, praying for leave to produce his proofs, whereupon a vote shall be taken in each House, Yeas, and Nays, whether leave shall be granted, and if a majority of all the members of both Houses be in favor of the petitioner, they shall appoint a Joint Committee to take the testimony on the part of the petitioner, with power to send for persons and papers as witnesses, to meet at such time and place as they shall direct; and they shall notify the opposite party thereof, and of the points to be adduced, that he may attend with his witnesses: and said Committee, after taking the depositions of both parties, shall report the same to both Houses, and a day shall be fixed by a joint resolution for the meeting of both Houses to decide upon the same; on which decision, the Yeas, and Nays, shall be taken by the Clerks of both Houses, and entered upon their Journals.

SEC. 25. If any Judge or Clerk of any Election, or any officer acting in any wise pertaining thereto, after they have undertaken to perform the duties pointed out in this Ordinance, fail so to do; (unless prevented by sickness, inability, or unavoidable circumstances,) he shall be subject to a fine and punishment, at the discretion of the County Court, having Jurisdiction.

Sec. 26. All State, County, or Precinct offices that have been, or may be hereafter created, until the General Election Law of the State takes effect and not otherwise provided for by law, *shall* be filled by Executive appointment.

Approved, November 20. 1849.

AN ORDINANCE, ORGANIZING THE NAUVOO LEGION.

Passed by the Legislative Council, March 9. 1849

That a committee of three be appointed to organize, or authorize others to organize, all the male inhabitants of the valley of the Great Salt Lake, who are able bodied men, over fourteen, and under seventy-five years of age, into different companies, the whole to form an entire Military Organization of the people, under the name of the *Nauvoo Legion.*

Whereupon Amasa Lyman, Charles C. Rich, and Daniel H. Wells, were appointed said Committee.

March 31. 1849.

That George D. Grant be and is hereby appointed to raise a Company of fifty mounted men, to preserve this City and neighborhood from Indian depredations

May 26, 1849.

The Committee made the following Report

TO THE PRESIDENT AND LEGISLATIVE COUNCIL.

GENTLEMEN,—

The Committee on Military affairs beg leave to make the following report.

They have organized the Nauvoo Legion, as follows:—To consist of———men, divided into two Cohorts, four Regiments in a Cohort, two Battalions in a Regiment, and five Companies in a Battalion, and commanded by a Major General.

The first Cohort consist of mounted men, and is commanded by a Brigadier General.

The second Cohort consist of footmen, and is also commanded by a Brigadier General.

At an election, held at the Stand in accordance with previous notice, on the twenty-eighth day of April last,—

Daniel H. Wells was elected Major General of the Legion.

Jedediah M Grant was elected Brigadier General of the first Cohort.

Horace S. Eldredge was elected Brigadier General of the second Cohort.

They have organized eleven Companies, six of horse and five of foot; which are organized into four Battalions for present purposes, composing two Regiments.

The six horse Companies constitute the first Regiment of the first Cohort.

John S. Fullmer has been elected Col. of the first Regiment, first Cohort, and Willard Snow Major of the first Battalion of said Regt.

George D. Grant, Captain of the first Company of said Battalion.

William H. Kimball, First Lieut
James Ferguson, Second "
Ephraim Green, Third "

} This is a Company of Life Guards, designed to protect the City and vicinity from Indian depredations, and consist of——selected men.

Daniel C. Davis, Captain of the second Company of said Battalion.

Nelson Higgins, First Lieut.
Joseph W. Young, Second "
Anson Call, Third "

} This is a Company of Mounted Dragoons.

Samuel Thompson, Captain of the third Company of said Battalion.

	First Lieut.	This is a Company of
Second	"	Mounted Dragoons.
Third	"	

Ira Eldredge, Major of the second Battalion.

Benjamin F. Johnson, Captain of the first Company of said Battalion.

Hosea Stout,	First Lieut.	Company of Mounted
John Allger,	Second "	Men.
J. C. L. Smith,	Third "	

James T. S. Allred, Captain of the second Company of said Battalion.

P. R. Wright,	First Lieut.	
Erastus Bingham,	Second "	Mounted Company.
John Steele,	Third "	

John Brown, Captain of the third Company of said Battalion

Albert Carrington,	First Lieut.	Pioneer and Exploring
Joseph Matthews,	Second "	Company.
John D. Holliday,	Third "	

John Scott, Colonel of the first Regiment of the second Cohort.

Andrew Lytle, Major of the first Battalion of said Regiment.

Jesse P. Harmon, Captain of the first Company of said Battalion.

Shadrach Roundy,	First Lieut.	This Company consist
Isaac Morley,	Second "	of men, who are Silver
Phineas Richards,	Third "	Greys over fifty years of age.

Daniel Tyler, Captain of the second Company of said Battalion

	First Lieut.	This is the first Artillery
Dorr P. Curtis,	Second "	Company.
Charles Shumway,	Third "	

Daniel Carn, Captain of the third Company of said Battalion.

Truman O. Angel,	First Lieut.	This is the second Ar-
Wm. M. Lemon,	Second "	tillery Company.
James Beck,	Third "	

Henry Herriman, Major of the second Battalion of said Regiment.

George B. Wallace, Captain of the first Company of said Battalion.

J. A. Stratton,	First Lieut.	This is a Company of
Jacob Gates,	Second "	Infantry.
Jonathan H. Holmes,	Third "	

Edmund Ellsworth, Captain of the second Company of said Battalion.

Henry P. Richards, First Lieut. } This is the Juvenile Rifle
Joseph A. Young, Second " } Company, and consist
Lyman L. Rockwood, Third " } of young men under eighteen years of age.

CHARLES C. RICH.
DANIEL H. WELLS.
Committee.

After hearing the Report read, it was unanimously adopted by the Council, and ordered to be printed

AN ORDINANCE REGULATING THE MILITIA OF THE STATE OF DESERET.

Passed by the General Assembly December 8. 1849.

Sec. 1 Be it ordained by the General Assembly of the State of Deseret, That it shall be the duty of every able bodied white male Citizen, of this State; between the ages of Eighteen and Forty five years, (except such as may be exempt by law,) to perform military duty.

Sec. 2. It shall be the duty of each non-commissioned officer and private, to keep and preserve in good order and repair, one good rifle, musket, or yauger gun, with all necessary accoutrements; and not less than forty eight rounds of ammunition, suitable for his firelock.

Sec. 3. All horse companies, shall furnish themselves with good and sufficient horses, and all necessary accoutrements, and in addition to other arms, one pair of holster pistols, with ammunition and accoutrements as aforesaid, and shall keep and preserve the same in good order and repair.

Sec. 4. There shall be a muster and inspection of arms, of each company, as often as once in two months; commencing on the last Saturday of March next, a report of the condition of which, together with the amount of ammunition &c. shall be returned to the commander of their respective regiments within ten days thereafter.

Sec. 5. There shall be a drill of all commissioned and non-commissioned officers, of each Regiment, on the Saturday previous to each company muster. A Report of which, together with a consolidated report, of Company musters shall be returned to the Adjutant General's office, on or before the first day of November annually, and oftener if required by the Major General.

Sec. 6. There shall be a General Muster of each Regiment once in each year, which shall continue three days in succession, performing Camp duty, the Commanding officer of each Regiment fixing the time, of holding the same.

Sec. 7. Any musician, non-commissioned officer, or private (Orderly sergeant excepted) failing to attend any muster, and not remaining at the same for the time appointed, and not having his arms, accoutrements, and ammunition, as herein provided, for an inspection of the same, shall be liable to forfeit and pay, not exceeding the sum of five dollars; at the discretion of the Court.

Sec. 8. All commissioned company officers and orderly sergeants shall forfeit and pay not exceeding the sum of ten dollars for the like offence.

Sec. 9. All Regimental officers, either field or staff, for each offence of like nature, shall forfeit and pay, not exceeding the sum of twenty dollars.

Sec. 10. All persons, shall when on duty be subject to the orders, of their superior officer; and for any disobedience of orders, disrespect, or insult, shall be subject to arrest, punishment, or fine, at the discretion of the commanding officer.

Sec. 11. All officers shall deport themselves in a civil, courteous and orderly manner, towards each other, and towards the men under their command.

Sec. 12. All persons performing military duty, and keeping constantly on hand the arms, ammunition, accoutrements and animals as herein provided; all such property so kept, constantly on hand, shall not be liable to execution or taxation.

Sec. 13. All fines, forfeitures, and penalties, accruing as herein contemplated, may be collected before any magistrate or Court having Jurisdiction; and it shall be the duty of Orderly Sergeants in Companies; Adjutants, in Regiments; Brigade Inspectors, in Brigades; and Adjutant Generals, in Divisions; to prosecute all delinquents, and collect all fines and forfeitures, assessed in their respective commands, and pay over into the public Treasury, all sums so collected.

Sec. 14. Musicians shall provide themselves with good instruments, suitable to the service they have to perform, and keep and preserve the same in good order and repair; and attend all musters and drills; and all commissioned officers shall be armed with sword, or hanger, and when mounted, with holsters and pistols, with ammunition, and all necessary accoutrements.

Sec. 15. It shall be the duty of all officers ordering a muster or drill, to specify in his orders, the nature of the service to be performed, and give directions in relation thereto, and notices to all under their command, shall be read to them, or left in writing, at their last usual place of abode, by the proper notifying officer, who shall make due return thereof, stating on the back of said orders, the manner how he has executed the same, on or before the day of parade.

Sec. 16. The commanding officer of the Mounted Rangers is hereby required to increase his company to one hundred good and efficient men to act as minute men; to preserve the peace, and repel Indian depredations

Sec. 17. The commander of this force is hereby authorized to call upon the Quarter Master for camp equipage, baggage wagons, and animals, necessary to carry the same, and upon the Commissary for supplies, when necessary, whose duty it shall be to furnish the same, at the expense of the State

Sec. 18 There shall be one company of footmen, not less than one hundred good and efficient men, armed with muskets and cannon, at the public expense, to act as minute men, who shall be provided for in the same manner, as herein provided for the Mounted Rangers

Sec. 19. In consideration of the minute men holding themselves in readiness to go at the earliest warning, they shall be entitled to a reasonable compensation, when in actual service at the expense of the State *Approved Dec.* 10, 1849.

AN ORDINANCE TO PROVIDE FOR THE ORGANIZATION OF THE JUDICIARY OF THE STATE OF DESERET.

Passed January 9, 1850.

Sec. 1. Be it ordained by the General Assembly of the State of Deseret, that a Supreme Court shall be organized, to consist of one Chief Justice, and two Associate Justices, either two of whom shall form a quorum to do business

Sec. 2. The Justices shall be elected by the joint vote of both Houses of the General Assembly; and shall take an oath or affirmation to support the Constitution of the United States, and of this State, and faithfully and impartially perform and discharge the duties of their office, according to the best of their powers and abilities, and each file a bond in the office of the Secretary of State, conditioned for the faithful and impartial performance of the duties of said office, with good and approved securities, in a sum of not less than one thousand dollars, and not exceeding ten thousand dollars, at the discretion of the Secretary of State, which bond may be increased whenever he shall deem it necessary

Sec. 3. These Judges shall hold their office for the term of four years, and until their successors are elected and qualified, and whenever a vacancy shall occur, by death, resignation, or removal from the limits of the State, or otherwise, the Executive shall

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have power to fill such vacancy by appointment; and the person so appointed shall have full power, after filing a bond and taking the oath of office aforesaid, to act as a Justice of the Supreme Court, until the next meeting of the General Assembly, when said vacancy shall be filled, as provided for in the second section of this Ordinance.

Sec. 4. They shall have appellate jurisdiction in all cases of Law and Equity which may have been tried by the Inferior Courts, and have original jurisdiction over all civil cases where the sum in dispute shall exceed one thousand dollars, (provided the Clerk of said Court shall not enter upon his docket, any civil suit by appeal or otherwise, without first receiving a docket fee of twenty dollars, which sum shall be paid into the Public Treasury,) and in all cases where the officers of the State are accused of neglect of duty, corruption, bribery, &c.

Sec. 5. They shall also have jurisdiction for the correction of errors, in all judicial proceedings.

Sec. 6. Whenever any or either of the Justices of the Supreme Court shall be accused of corruption, bribery, or wilful neglect of duty, the same shall be presented to the President of the Senate, and if he shall consider there is sufficient cause of complaint, he or they shall be tried before the Senate, and if found guilty, shall be dismissed from office, and subject to fine or imprisonment as the Senate may deem necessary; and shall also be liable to civil suits for all damages sustained.

Sec. 7. The Supreme Court shall appoint a Clerk of said Court, who shall file a bond in the sum of not exceeding ten thousand dollars, with approved securities, in the office of the Secretary of State, and take an oath of office; whose duty it shall be to keep a faithful record of all the proceedings of said Court, in a book provided for that purpose, to issue all writs and processes that may be ordered or issued by said Court, and pay over and account for all monies that shall come into his hands by virtue of his office, and do such other duties as the Court from time to time shall direct, and shall continue in office during the pleasure of the Court.

Sec. 8. The Secretary of State shall provide said Court with an official Seal, at the public expense, which shall contain the words "*Supreme Court, State of Deseret,*" and the Clerk shall place said Seal on all processes, or documents issued by the Court.

Sec. 9. All persons accused, either in civil or criminal cases, shall have the privilege of being heard themselves, or by proxy, and shall have trial by Jury if they choose. It shall be the duty of the Court to grant a speedy trial, to issue compulsory process

for witnesses, and in no case suffer technicalities to frustrate the ends of Justice. The Court or either of its Judges, are to grant writs of Habeas Corpus, and hear and determine the same, on the merits of the case.

Sec. 10 The Supreme Court shall hold annual sessions, at the Seat of Government, on the first Monday in November, and such special sessions at such time and place throughout the State, as the press of Judicial business, in their opinion, may require.

Sec. 11. The Governor shall have power to appoint a State's Marshall, whose term of office shall continue four years, or during the pleasure of the Governor, and until his successor is appointed and duly qualified,—and the said Marshall, when duly qualified, shall have power to appoint, by and with the consent and approval of the Governor, one or more Deputy Marshalls, as the necessity of the case may require.

Sec. 12. It shall be the duty of the Marshall, and Deputy Marshalls, to take an oath of office, and each file a bond with approved securities, in a sum not exceeding twenty-five thousand dollars, in the office of the Clerk of the Supreme Court, for the faithful discharge of his or their official duties, which bond or bonds may be increased at the discretion of the Executive, or the Judges of the Supreme Court.

Sec 13. It shall be the duty of the Marshall, with his Deputies, to execute all orders, or processes, and decrees of the Supreme Court, and such other duties, as the Executive shall direct, or may be required by Law.

Sec. 14. An Attorney General shall also be elected by the joint vote of both Houses of the General Assembly, whose term of office shall be four years, and until his successor is elected and qualified.

Sec. 15. It shall be the duty of the Attorney General, before entering upon his duties, to take an oath of office, and give bond and security to be approved by the Secretary of State, and filed in his office.

Sec. 16. It shall be the duty of the Attorney General to prosecute, in behalf of the State, individuals accused of crime, attend to legal business before the Courts wherein the State is a party; be the Counsellor of the Executive whenever required by him; and generally to do and perform all other business pertaining to his office, and such other duties as shall be required of him by the Executive, or by legislative enactment.

Sec. 17. There may also be elected a Prosecuting Attorney for each organized County, whenever the necessity of the people or public good requires it, who shall be elected as provided for the

Attorney General in the first section of this Ordinance, and for the same term, and take an oath of office, and give bond and security to be approved by the Clerk of the County Court, and filed in his office.

Sec. 18. It shall be the duty of said Prosecuting Attornies to attend to legal business before the Courts in their respective Counties wherein the State is a party, prosecute individuals accused of crime, and generally to do and perform all duties pertaining to their office.

Sec. 19. A Court shall be formed in each County, consisting of one Chief Justice, and two Associate Justices, (whenever the necessity of the inhabitants of said County require it,) either two of whom shall form a quorum to do business. The Chief Justice shall be elected by the joint vote of the General Assembly, and shall hold his office four years. The two Associate Justices shall be elected by the people of said County, also for the term of four years; each of whom shall hold their office until their successors are elected and qualified, and they shall take an oath of office and file a bond in the office of the Clerk of the Supreme Court, with approved securities, for the faithful and impartial discharge of their official duties, in a sum not exceeding ten thousand dollars each, to be approved of by said Clerk, which may be increased when the Judges of the Supreme Court may deem it necessary.

Sec. 20. In case of bribery or corruption of either of the aforesaid Justices, any one of whom may be tried before the Supreme Court, or the County Court of an adjoining County, and if found guilty shall be dismissed from office, and subject to fine or imprisonment, as the Court may deem necessary; and shall also be liable to civil suits for all damages sustained.

Sec. 21. At the expiration of two years after the first election for Associate Justices, the Junior Justice's term of office shall expire, and his place be filled by an election as herein contemplated, that one of the Associate Justices may be elected every two years.

Sec. 22. The County Court shall have jurisdiction over all civil and criminal cases arising in said County, on original cases exceeding one hundred dollars, and on appeals from Justice's Courts.

Sec. 23. It shall be the duty of the County Court, or either of its Judges, whenever application is made, and in their judgment the nature of the case requires it, to issue writs of Habeas Corpus, to try and determine the same on the merits of the case, and administer justice in all cases regardless of technical forms of law.

Sec. 24. They shall appoint a Clerk of the Court, who shall qualify, and give bonds same as the Judges of said Court, whose

duty it shall be to keep and affix a seal to all papers issueing therefrom: it shall also be his duty to keep a record of all proceedings of said Court, issue process and make and deliver transcripts in cases of appeals, and do such other duties as the Court shall direct.

Sec. 25 The Clerk of the County Court shall not enter a suit, either by appeal or otherwise, (except in criminal cases,) upon his docket, without first receiving a "docket fee" of ten dollars, which sum shall be paid into the Public Treasury

Sec. 26. It shall be the duty of said Court to hold annual sessions on the first Monday in October, and such special sessions as in their judgment, the speedy execution of justice and public good may require.

Sec. 27. There shall also be one Sheriff for each County, whose term of office shall be four years, who shall be the chief Executive officer of the County, in which he is elected, and shall execute the orders and decrees of the County Court; he shall take an oath of office and file a bond with approved securities, not exceeding ten thousand dollars, in the office of the County Clerk, which bond shall be approved by the Court, and increased when the Court shall deem proper.

Sec. 28. Each Sheriff shall have authority to appoint such number of deputies, as may be necessary to perform the business of said County, who shall be approved of by the County Court.—Each deputy shall take an oath of office, and file a bond same as the Sheriff.

Sec. 29. Each Precinct in this State may elect one Justice of the Peace, and two constables; and Great Salt Lake City Precinct four Justices of the Peace, and eight constables; (and the same may be increased in any Precinct in this State, whenever the public good require it;) whose term of office shall be two years.

Sec. 30. It shall be the duty of every Justice of the Peace, to examine strictly and faithfully into the merits and demerits of all civil and criminal cases which may come before him, and to execute justice without respect to persons or favor, or the technicalities of the law, preserve the public peace, sit in judgment on all cases referred to him, and keep a true record of all proceedings had before him, and in case of appeal, to transmit a copy of the same to the Clerk of the Court to which the appeal is made.

Sec. 31. Each Justice of the Peace and constable shall take an oath of office, and shall file a bond with approved securities, of not less than one, nor exceeding ten thousand dollars, in the office of the County Court in which he resides, for the faithful discharge of his official duties.

Sec. 32. Any Justice of the Peace may officiate as Coroner,

when occasion may require, by holding inquests upon the bodies of such persons as may be found dead, or may have died suddenly, or by violence, or in any manner that may create suspicion of crime; it shall be his duty to take in writing the evidences that may be adduced in such cases, also his own decision thereon, the names of several persons present at the investigation, and file the same in the Clerk's office of the County Court; and he shall have authority to summon to his assistance such persons as he may deem necessary to hold such inquest, and dispose of, or inter said body, as he shall think proper.

Sec. 33. A docket fee of one dollar shall be paid to each Justice of the Peace, for each case coming before him, before he commences any suit by civil process, which sum shall be paid into the Public Treasury.

Sec. 34. Any Justice of the Peace may issue compulsory process for the attendance of witnesses, and may admit as evidence any depositions taken before any Justice of the Peace, Judge, or Clerk of Court; who shall seal up and transmit the same to the Court where the case is pending; provided that both parties are duly notified of the time and place of taking such depositions, and had the privilege of being present themselves, or by proxy, if they choose; all such depositions must be taken upon oath or affirmation.

Sec. 35. It shall be the duty of each and every Justice of the Peace, to punish by fine not exceeding one hundred dollars at his discretion, any person or persons who shall bring before him a vexatious lawsuit, through malice or private pique against the defendant; all fines so collected shall be paid into the public Treasury.

Sec. 36. When any Justice of the Peace shall be found guilty of receiving a bribe, of using partiality, or knowingly giving an unjust decision; he shall be dismissed from office, and fined or imprisoned at the discretion of the County Court, and he shall also be liable for civil suits for damages.

Sec. 37. In all cases where civil suit is commenced before any Justice of the Peace, said Justice shall require the plaintiff to enter into bonds to be approved by the Justice, for all costs that may arise for witnesses, constables, and costs of Court; the witnesses shall be allowed the current price of labor per day, that they would have earned if they had been at home, and expenses, which bond shall be held by the Justice of the Peace. And on the termination of any suit, the Justice of the Peace shall decide whether the plaintiff or defendant shall pay said costs, or what portion shall be paid by each, according to the Justice of the case.

Approved, Jan. 16. 1850.

AN ORDINANCE CONCERNING REVENUE.

Passed by the General Assembly, January 10, 1850.

Sec. 1 Be it ordained by the General Assembly of the State of Deseret, that there shall be elected annually, in each County of this State, an Assessor, who shall also be the Collector, who shall be sworn or affirmed to the faithful performance of his duty, and give bond and security approved by the public Treasurer, and deposited in his office within ten days after his election, and to hold his office until his successor is appointed and qualified.

Sec. 2. The Assessor and Collector for the respective Counties, shall be elected at the first election by the General Assembly of this State, upon the joint vote of the two Houses, and after the County Courts are organized, they shall have the privilege of appointing an Assessor and Collector annually, for their respective Counties, until otherwise provided for by law.

Sec. 3. It shall be the duty of the Assessors and Collectors, to assess and collect, for the current year, a tax of two cents upon each dollar's worth of personal property, money loaned, or on hand, and improvements upon real estate: provided, that public property, property belonging to religious societies for public purposes, and burying grounds, shall be exempt from all such assessments.

Sec 4 The Assessors and Collectors are hereby authorized and required to assess all property at its current value, and collect the amount of tax arising thereon without delay, and pay over or remit all amounts so collected, into the public Treasury, as often as once in each month.

Sec. 5. It shall be the duty of each Assessor and Collector, to keep a fair and faithful record of the names of owners of property, the amount assessed, and tax arising thereon, and collected, and paid over, and also the amount assessed not collected, and the reason why, if by removal, or otherwise, and return the same with a full statement of all his proceedings, on or before the first day of December in each year, to the Auditor of public Accounts, whose duty it shall be to Audit the same, and report thereon to the General Assembly if then in session, or the first ensuing session.

Sec. 6 If any person shall refuse or neglect to pay the amount of tax assessed, as herein contemplated, it shall be the duty of the Assessor and Collector to enforce the collection thereof, in the most summary manner: provided, he shall in no case distress the widow, and the fatherless, nor oppress the honest poor.

Sec. 7. Any person or persons who shall fail to give in a true report to the Assessor and Collector, of all taxable property owned by said person or persons, according to the provisions of this Ordi-

nance, or wilfully conceal from the Assessor and Collector, any taxable property, owned by him or them, or otherwise try to defraud the public revenue, shall, on conviction thereof, be liable to a fine of not exceeding one thousand dollars, or the amount of money or property so concealed, at the discretion of the Court having jurisdiction.

Approved, Jan. 16, 1850.

AN ORDINANCE, AUTHORIZING A BOUNTY ON KILLING WOLVES, &c.

Passed by the General Assembly, January 14, 1850.

Sec. 1. Be it ordained by the General Assembly of the State of Deseret, that a bounty of two dollars is hereby offered for the killing of each large mountain wolf; also, one dollar for the killing of each small prairie wolf, or fox; said bounty to be paid out of the public Treasury as hereinafter prescribed: provided, that the person claiming the bounty shall be the person who killed the wolf or fox; and that the application for said bounty shall be made within ten days after the killing, by presenting the wolf's or fox's pelt entire, together with two inches or more of the upper jaw next preceding the end of the nose thereunto attached in its natural state; and the killing shall have been performed within the distance of twenty miles of some white settlement within this State.

Sec. 2. Any person on killing a wolf or fox, may claim the bounty thereon offered, by presenting the wolf's or fox's pelt, with the upper jaw thereunto attached, as specified in the first section of this Ordinance, to any magistrate, who is hereby authorized to question any person making such claim, and if the magistrate is not satisfied with the answer of the claimant, he may put him on his oath or affirmation; and when satisfied of the justice of any claim, said magistrate shall issue his certificate of the fact, making a record of the same on his docket; and such certificate shall be receivable by the Assessor and Collector of taxes, for the amount therein specified.

Sec. 3. If any person shall kill a wolf or fox puppy, and present the pelt and upper jaw thereof, in like manner as prescribed in the first and second sections of this Ordinance, for the presentation of wolf or fox pelts, for bounty, the person so applying shall, in like manner, be entitled to a bounty of fifty cents, for each pelt and jaw so presented, without reference to large or small kind, and the magistrate shall issue his certificate accordingly.

Sec. 4. It shall be the duty of each and every magistrate on the issue of every certificate of bounty, for wolf, fox or puppy pelts and jaws, to see that said person receiving said certificate, forthwith remove said jaw or jaws, from said pelt or pelts, and burn the jaw or jaws in his presence.

Sec. 5. If any person shall make application to any magistrate for bounty, contrary to the provisions and designs of this Ordinance, or shall deceive, or attempt to deceive said magistrate concerning the facts in the case and it shall appear evident to said magistrate that the person so applying has deceived or attempted to deceive concerning his claim, or has sworn or affirmed falsely, for such deception, or attempted deception said magistrate shall forthwith levy such fine as justice shall, in his opinion, demand, said fine to be collected of the property of the person making the application, and paid into the public Treasury, and if said deception or attempted deception shall arise through false swearing or affirming, the person, so deceiving or attempting to deceive, shall be further and otherwise punished for perjury, at the discretion of the Court having jurisdiction, or as the law shall direct.

Sec. 6. It shall be the duty of every magistrate on issuing a certificate for bounty to number the same, and each succeeding certificate, and report the number of certificates by him issued, with the amount of each, to the Assessor and Collector of taxes, on the first day of January, April, July, and October annually.

Approved, January 16, 1850.

AN ORDINANCE FOR TAKING OUT THE RIVER JORDAN

Passed by the General Assembly, Jan 15, 1850.

Sec. 1. Be it ordained by the General Assembly of the State of Deseret, that the sum of three thousand dollars shall be appropriated, out of the Public Treasury, for the construction of a dam across the River Jordan, and conveying all or part of the water, out of its present channel, to the farming lands on the west side of the Jordan, for irrigating, and other purposes, during the year 1850.

Sec. 2. Said funds shall be paid over by the Treasurer, to the Committee on Public Works; namely, George A. Smith and Ezra T. Benson, or their order.

Sec. 3. Said Committee on Public Works shall give bonds, with approved securities, to the Secretary of State, before entering upon the duties herein specified.

Sec. 1. It shall be the duty of said Committee, to keep a correct account of all monies paid out by them, and report the same to the Auditor of Public Accounts, on or before the first day of December next.

Approved. Jan. 15. 1850

AN ORDINANCE FOR TAKING OUT THE BIG COTTON WOOD, AND OTHER CREEKS, FOR IRRIGATING AND OTHER PURPOSES.

Passed by the General Assembly, Jan. 15, 1850.

Sec. 1. Be it ordained by the General Assembly of the State of Deseret, that the sum of two thousand dollars shall be appropriated out of the Public Treasury, for the purpose of taking the water out of the channels of the Big Cotton-wood, Mill, Big and Little Kanyon Creeks, for the purpose of irrigating the farming lands, and the east part of the city, and for other purposes.

Sec. 2. Said funds shall be paid by the Treasurer, to the order of John D. Lee, who is hereby appointed a Committee, to superintend the works.

Sec 3. Said John D. Lee, shall give bonds with approved security, to the Secretary of State, for the faithful performance of the duties of his office, and also the faithful appropriation of the money, paid to him.

Sec. 1. Said John D Lee shall keep a correct account of all monies received and paid out by him, and present a copy of the same to the Auditor of Public Accounts for examination, as soon as the work is completed, or before the first day of December next.

Approved. Jan. 15, 1850.

AN ORDINANCE PROVIDING FOR STATE AND COUNTY COMMISSIONERS, ON ROADS.

Passed by the General Assembly, Jan. 15, 1850.

Sec 1. Be it ordained by the General Assembly of the State of Deseret, that a State Commissioner on public roads shall be elected by the General Assembly, whose term of office shall be four years, and until his successor is elected and qualified; and who shall take an oath, and give bond with security for the faithful performance of the duties of his office; which bond shall be approved by the Secretary of State, and filed in his office.

Sec. 2. Whenever the General Assembly shall grant a State road, from one given point to another, it shall be the duty of the State Commissioner to institute a speedy survey for said road on the most feasible and practicable route, having special reference to public convenience, utility, and durability; showing distances, altitude of hills, soils, rivers, ravines, and all such like information relating to convenience and expense, &c., with all reasonable dispatch, to the Governor, who, with the Commissioner, shall decide on the location of said road, and all such, and other maps and reports; and maps, and reports, of all surveys made by the State's Commissioner, shall be filed in the office of the Secretary of State, within a reasonable time.

Sec. 3. If it shall appear evident that there is but one feasible route for any road granted by the General Assembly or if the Governor shall instruct the Commissioner to locate any given road on any particular route, previous to a survey then it shall be the duty of the Commissioner to locate said road without delay, and file a report of each and every location of a State road, in the Secretary's office, as in the second section

Sec. 4. It shall be the duty of State Commissioners to make all contracts for building bridges aqueducts, culverts, turnpikes, and all other fixtures necessary for the completion of any public road, located by himself or predecessors in office, yet remaining uncompleted, and draw upon the Public Treasury for such money as shall from time to time be granted by the General Assembly, for the payment of said contracts, keep an accurate account of all sums of money by him received, and how expended, and make a true report of the same, on or before the first of December of each year, to the Auditor of Public Accounts.

Sec 5. The County Court, in each County, shall have power to appoint one or more Commissioners, whenever they shall deem it necessary, to locate all County roads within the limits of said County, whose term of office shall be two years, and until their successors are appointed and qualified. They shall also give bond and security, for the faithful performance of the duties of their office, to be approved by the Clerk of said Court, and filed in his office.

Sec. 6. It shall be the duty of all County Commissioners so appointed, to make all contracts for improvements upon all such roads, locating the same upon the most judicious routes, and keep and make a true and full report of all their proceedings, and lay the same before the County Court, at each regular session of the same: and before they shall cease to officiate in said office, file all such reports in the office of the Clerk of the County Court

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Sec. 14. Tulla Valley shall be a County, called Tulla County, having one Precinct, until otherwise ordered by the County Court. The inhabitants may organize said County, and locate the County seat wherever they shall see proper, and until they shall so organize, said County shall be considered one Precinct, and may have a Justice of the Peace and two constables, and be attached to the Great Salt Lake County, for judicial, revenue, and election purposes.

Sec. 15. Little Salt Lake Valley shall be a County including the eastern limits of said Valley; the County Court of which may organize the Precinct as they shall deem necessary.

Sec. 16. There shall be a Precinct, called Bridger's Precinct, at Black's Fork, including the settlements of all white inhabitants in that region, between Bear and Green Rivers, and within the limits of this State, until otherwise provided by law.

Sec. 17. Whenever a County is mentioned as including a valley, the boundaries of the same shall extend to the natural boundaries of said valley,—the summit of the surrounding mountains, on the highest dividing ridge between said vallies

Sec. 18. All Counties which do not organize are hereby attached to the next nearest organized County for judicial, revenue and election purposes, nothing herein contained, shall be so construed as to prevent all such Counties having at least one Justice of the Peace and two constables, whenever the inhabitants of said County shall deem it necessary, and elect such officers.

Sec. 19. All Justices of the Peace and constables so elected, shall qualify in the next nearest organized County, as contemplated in the Ordinance concerning the Judiciary.

Approved, Jan. 31, 1850.

AN ORDINANCE INCORPORATING THE UNIVERSITY OF THE STATE OF DESERET

Passed by the General Assembly. Feb. 28, 1850.

Sec. 1. Be it ordained by the General Assembly of the State of Deseret, that a University is hereby instituted and incorporated, located at Great Salt Lake City, by the name and title of the University of the State of Deseret.

Sec. 2. The powers of the University shall be vested in a Chancellor and twelve Regents; the number of which Regents may be increased when necessary, who shall be chosen by the joint vote of both Houses of the General Assembly, and shall hold their office for the term of four years; and until their successors are qualified.

Sec. 3. The Chancellor shall be the chief Executive officer of the University, and Chairman of the Board of Regents

Sec 4. The Chancellor and Board of Regents are a body corporate, to sue and be sued, to act as Trustees of the University, to transact, or cause to be transacted, all business needful to the prosperity of the University, in advancing all useful & fine arts and sciences; to select and procure lands; erect and purchase buildings; solicit donations; send agents abroad; receive subscriptions; purchase books, maps, charts, and all apparatus necessary for the most liberal endowment of any library, and scientific Institution; employ professors and teachers; make bye-laws, establish branches of the University throughout the State; and do all other things that fathers, and guardians of the Institution ought to do

Sec. 5. The Chancellor and Regents, may appoint a Secretary, and define his duties

Sec. 6. The Chancellor, Regents, and Secretary, before entering upon the duties of their respective offices, shall each take an oath of office, and file a bond in the office of the Secretary of State, with approved securities, in a sum not less than ten thousand dollars, conditioned for the faithful performance of their several duties: which sum may be increased at the discretion of the Executive of the State.

Sec. 7. There shall be a Treasurer of the University elected in the same manner, and for the same time, as the Chancellor and Regents; whose duty it shall be to receive and safely keep the funds of the University, or dispose of the same, as he shall be directed by the Board of Regents, and keep accurate records of all funds that may come into his possession, and keep his books open at all times for the inspection of the Chancellor and Regents, or any of them, and of the Executive and Secretary of State.

Sec. 8. The Treasurer, before entering upon the duties of his office, shall take an oath of office, and file a bond, with approved security, in the office of the Secretary of State, in the sum of one hundred thousand dollars: conditioned for the faithful performance of his duties, which sum may be increased at the discretion of the Executive of the State.

Sec. 9. Should a vacancy occur in the Board of Regents, or any office in the Institution, during the recess of the General Assembly, the Executive of the State may fill such vacancy.

Sec. 10. It shall be the duty of the officers of the University to prepare, and open books, and be ready to receive subscriptions, donations and appropriations, on or before the sixth day of April next; and shall legibly enter upon their books, all subscriptions, and donations to the University, with the names of the donors,